

Entered - 11/21/02 - sb
CL02L0830 - DIANNE C. MITCHELL

CLAIM OF: **LINDA C. MARTIN**
1443 Avon Avenue, SW
Atlanta, Georgia 30310

03-*ℓ* -1516

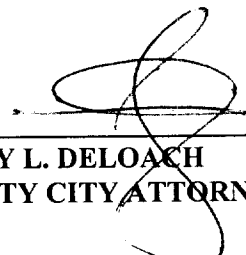
ADOPTED BY
OCT 06 2003
COUNCIL

For damages alleged to have been sustained as a result of a sewer back up
on October 29, 2002 at 1443 Avon Avenue, SW.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of
the Department of Law be approved in authorizing payment to **LINDA C.
MARTIN** the sum of **\$931.00** in full settlement and satisfaction of all
claims, past, present and future, of every kind and character for damages
alleged to have been sustained as a result of a sewer back up on October 29,
2002 at 1443 Avon Avenue, SW as is more particularly set forth in the
within claim; said sum taken from and charged to account
2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

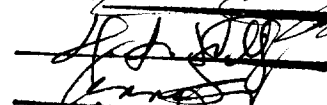
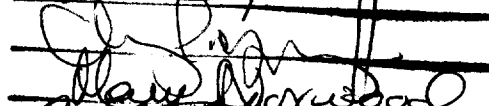
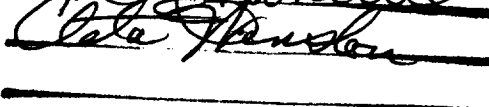
APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

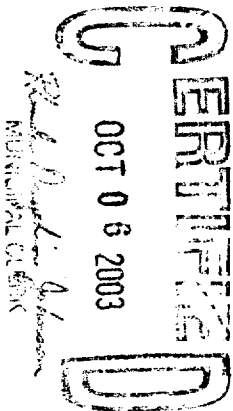
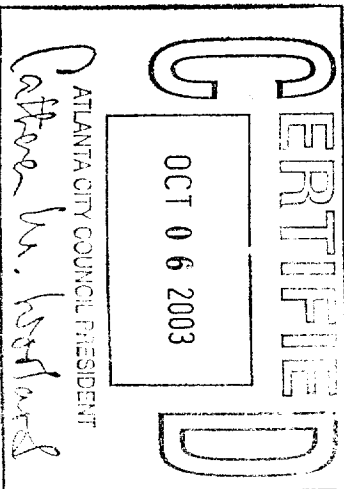
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

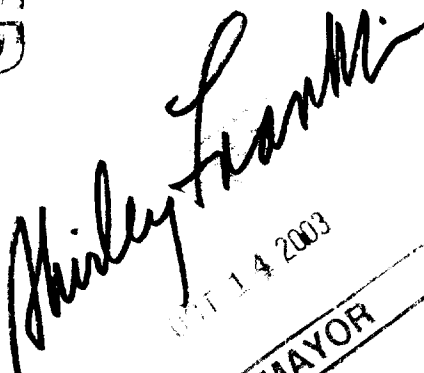
FAVORABLE REPORT
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 9/30/03

CHAIR: 




OCT 14 2003
MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-1516

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Linda C. Martin** in the sum of **\$931.00** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of a sewer back up on October 29, 2002 at 1443 Avon Avenue, SW** as set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Phonda Dauphin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

**OCT 06, 2003
OCT 14, 2003**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0830

Date: September 16, 2003

Claimant /Victim LINDA C. MARTIN

BY: (Atty)(Ins. Co.)

Address: 1443 Avon Avenue, SW, Atlanta, Georgia 30310

Subrogation: Claim for Property damage \$ 931.00 Bodily Injury \$

Date of Notice: 11/12/02 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 10/29/02 Place: 1443 Avon Avenue, SW

Department Watershed Management Bureau: Waste Water

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant incurred damages in the above amount due to a sewer back up. The investigation determined that the City was on notice a problem with the sewer line prior to this event, but failed to make the repairs.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures X Diagrams Reports: Police Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

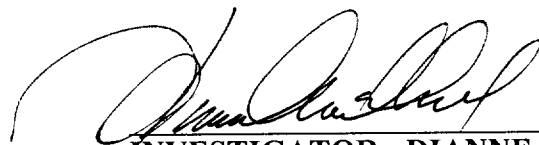
Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 931.00 Adverse Account charged: 1A01 2J01 X 2H01 2P01

Claims Manager: [Signature] Concur/date 09/16/03

Committee Action: Council Action

RCS# 5041
10/06/03
2:05 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-14

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	B Boazman	NV Woolard

CONSENT I

10-06-03 Council Meeting		
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 03-O-1475 2. 03-O-1471 3. 03-O-1438 4. 03-O-1442 5. 03-O-1452 6. 03-O-1380 7. 03-O-1478 8. 03-O-1479 9. 03-O-0953 10. 03-O-1455 11. 03-O-1476 12. 03-O-1481 13. 03-R-1498 14. 03-R-1499 15. 03-R-1582 16. 03-R-1583 17. 03-R-1502 18. 03-R-1503 19. 03-R-1505 20. 03-R-1506 21. 03-R-1507 22. 03-R-1488 23. 03-R-1489 24. 03-R-1490 25. 03-R-1491 26. 03-R-1492 27. 03-R-1495 28. 03-R-1513 29. 03-R-1514 30. 03-R-1515 31. 03-R-1516 32. 03-R-1517 33. 03-R-1518 34. 03-R-1519 35. 03-R-1520 36. 03-R-1579	37. 03-R-1521 38. 03-R-1522 39. 03-R-1523 40. 03-R-1524 41. 03-R-1525 42. 03-R-1526 43. 03-R-1527 44. 03-R-1528 45. 03-R-1529 46. 03-R-1530 47. 03-R-1531 48. 03-R-1532 49. 03-R-1533 50. 03-R-1534 51. 03-R-1535 52. 03-R-1536 53. 03-R-1537 54. 03-R-1538 55. 03-R-1539 56. 03-R-1540 57. 03-R-1541 58. 03-R-1542 59. 03-R-1543 60. 03-R-1544 61. 03-R-1545 62. 03-R-1546 63. 03-R-1547 64. 03-R-1548 65. 03-R-1549 66. 03-R-1550 67. 03-R-1551 68. 03-R-1552 69. 03-R-1553 70. 03-R-1554	71. 03-R-1555 72. 03-R-1556 73. 03-R-1557 74. 03-R-1558 75. 03-R-1559 76. 03-R-1560 77. 03-R-1561 78. 03-R-1562 79. 03-R-1563 80. 03-R-1564 81. 03-R-1565 82. 03-R-1566 83. 03-R-1567 84. 03-R-1568 85. 03-R-1569 86. 03-R-1570 87. 03-R-1571 88. 03-R-1572 89. 03-R-1573 90. 03-R-1574 91. 03-R-1575 92. 03-R-1576 93. 03-R-1577 94. 03-R-1578

Consent I Vote: 13 Yeas; 0Nays: (See RCS #5041)